

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 2:06CR008-P-B

DANIEL FORD,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant's Motion to Substitute Counsel and Continue Trial Date and Pretrial Deadlines [15-1]. Upon due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for May 22, 2006. Defense counsel was appointed via the CJA Panel on February 28, 2006. Counsel informs once again that the court that the defendant has retained another lawyer to represent him and needs a second continuance in order to accommodate the substituted counsel. The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from May 22, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant's motion for continuance of trial [12-1] is hereby **GRANTED IN PART AND DENIED IN PART**; specifically,

(2) The motion to continue is granted;

(3) The motion to substitute counsel is denied until the defendant's new counsel has entered an appearance on the record whereupon Ms. Bobby Taylor Vance, Esq. should file another motion to substitute counsel;

(4) Trial of this matter is continued until Monday, July 17, 2006 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(5) The delay from May 22, 2006 to July 17, 2006 is excluded from Speedy Trial Act considerations as set out above;

(6) The deadline for filing pretrial motions is June 26, 2006; and

(7) The deadline for submitting a plea agreement is July 3, 2006.

SO ORDERED, this 15th day of May, A.D., 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE